

A  
**COMMISSION**  
**WITH INSTRVCTI-**  
**ONS AND DIRECTIONS,**  
granted by His Maiestie to the Master  
and Counsaile of the Court of  
Wards and Liveries,

*For compounding for Wards,  
Idcots and Lunaticks,*

*And giuen vnder His Highnesse great  
Seale of England,*

The 23. of February 1617.



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to the Kings most Excellent Maiestie.

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M.DC.XVII.





By the King.



A M E S, by  
the grace of  
G O D King  
of England,  
Scotlande,  
France and  
Ireland, De-

fender of the Faith, &c. To Our right  
trusty, and right welbeloued Councillour,  
Willia Lord Knollys, viscount Wallingford,  
Master of Our Court of Wards and Lieu-  
ries, And to Our trusty and welbeloued  
the Councill of the same Court, And to the  
Master and Councill of the layd Court for  
the time being, Greeting. W H E R E A S it

doth appeare by common experience , in  
the course which hath beene held, sithence  
the first erection of Our Court of Wards  
and Liueries, That partly by the slackenes  
of the friends of the Wards , vpon the de-  
cease of the parents or Aunceftours , who  
haue forborne to offer timely Compositi-  
on , sometimes with opinion that no Tytle  
could be found for Vs, and sometimes with  
purpose to suppress the same, and partly by  
the fute of other men , the Custody of the  
bodies and lands of Our Wards, haue bene  
committed to such persons , some for one  
respect, some for another, as (notwithstand-  
ing the care and prouidence of you the Ma-  
ster and Councell of Our Court , to binde  
them in great Bonds and Couenants for the  
well educating of the Children, and preser-  
uation of their inheritance) haue bene care-  
lesse of their education , married some in  
meane places, committed wafts and spoiles  
vpon their Lands , and in the ende haue  
exacted greater summes of money, for the  
marriages of such Wards , then they ought  
to haue done , in reason and equity ; not-  
with-

withstanding any their disbursements whatsoever for passing or procuring the same.

And whereas also Wee haue bene informed by you the Master of the sayd Court, that by reason of the great difficulties that haue beene found by the Court, vpon sight of Offices, and Suruyses onely, to set downe Compositions for Wardships and Leases of Wards lands, with such equality and moderation betwene Vs, and Our Subiects, as were iust and reasonable; and that through want of due information in that behalfe, much of the profit that might haue beene raised for Vs, hath beene diuerted to diuers Sutors and Committees, who by obscuring the trueth of the Wards estate, and by misinforming of the Court therein, haue reaped greater profite, then was intended, if you could by ordinary meanes, haue come by the knowledge of their values; so as, both Wee haue receiued lesse then otherwise Wee shuold haue done, and the Wards found little ease in many cases.

Wherefore, for the preuenting of these and the like inconueniences, and to the end that Our louing Subiects may stand assured, That Wee desire nothing more, then that their Children and their Lands, that shall fall vnto Vs by reason of Wardships, might after their decease, bee committed to their neerest and trustiest friends, or to such as they by Will, or otherwise, shall commit the chrage vnto, vpon such valuable considerations, as are iust and reasonable: And to the intent that the Parents and Auncestours, may depart in greater peace, in hope of this Our gracious fauour; and their friends may see their Children brought vp in piety and learning; and may take such care as is fit, for the preseruation of their inheritance, if they will seeke the same in time, and by such meanes as are fitte and conuenient, Wee haue thought good heereby to require you, the Master and Councel of Our said Court, and the Master and Councell of the sayde Court for the time beeing, that in disposing and committing of the Custody of the bodies

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dies and Lands of such our Wards , whose Ancestours haue deceased since January last past, or shall die from and after the date of these presents , and of such Ideots and Lunatickes, and their estates, as shall fall vnto vs from henceforth , you strictly and carefully obserue these our Directions following.

**F**IRST , That no Graunt or promise bee made of the custody of the body or lands of any Ward , nor any composition for the same , vntill the end of one moneth next after the death of the Ancestour of the Ward , to the end that the neest and trustiest friends of the Ancestour, or other persons nominated by the Ancestour in that behalfe , may in the meane time become Sutors for the same , among whom choice may be made of the best and fittest.

**A**lso you shal do by your best endeuours to informe your selfe as particularly as you may, by Commission, suruey, or otherwise,

wife of the trueth of the Wards estate, as well  
of his inheritance, as of his goods and chate-  
tels, and of the estate of the deceased Ance-  
stour, and of all other due circumstances  
considerable, to the end the compositions  
may be such, as may stand both with Our  
reasonable profit, and with the abilitie of  
the heires estate.

**T**HAT all sales and compositions for  
Wardships of the bodies, and Leases of  
Lands, be made by the Master of the said  
Court, and by such persons as are authori-  
zed by Statute in that behalfe. Neuertheles,  
the Surveyour of the Liueries, the Atturney  
of the Wards, Receiuer and Auditours, or  
any foure of them without the Master, may  
treat with any to bring the said Wardships  
and Leases to a price, openly in the Councell  
Chamber of the Court of Wards, and ac-  
quaint the Master therewith, in whose  
power it shall be to allow or disallow of the  
same according to the said Statute.

**T**HAT no Wardships of the body or land  
shall bee giuen or granted to any per-  
son,

son, or at his suite, in way of reward or benefit, but the best price and value that shall bee offered, shall be taken to Our vse: so alwaies as the neerest and trustiest friends, or the persons nominated by the Ancestour, (they seeking the same in time conuenient, as aforesaid, and making fit offer for it) bee preferred, and consideration had of the Wards Estate, and of all due circumstances considerable in such cases.

**T**HAT Leases of Wards Lands bee made without Fine, for the best improoued yeerely Rent that shall bee offered, consideration beeing had of all due Cautions, as aforesaid.

**T**HAT fellable Woods, and Fines of Copy-holds of Inheritance, bee also reasonably valued and demised with the Lands, for the best yerely Rent as aforesaid; with provision for fellable Woods. **T H A T** the Lessees sell them by fit portions.

**T**HAT Fines of Copy-holds for Lives, bee made and raised to Our vse, when

and as often as the Court shall thinke good, by certaine particular Commissioners to be appointed by the Master and Councell of our said Court, which Commissioners shall be charged to make the best of such Copie-holds to bee granted, and truly to answere vnto Vs into Our receipt of Our said Court, all such summes, without fraude or couine, as by them shall haue beene receiued, due consideration being had of their paines and expences.

**T**HAT all Petitions for Compositions of Wardships (*and Leases*) be presented and ordered at the Councell Chamber of the Court of Wards, at the seuerall sittings for the Wards.

**T**HAT euery such Petition doe expresse the seuerall Counties wherein the Ancestor died seized of Lands.

**T**HAT the rate and summe agreed vpon by the Commissioners for the Composition of any Ward (*or Lease*) doe stand and benot abated in the Composition, neither in the Fine nor Rent.

That

**T**HAT no Office be found within theyre  
after the death of the Ancestour against  
Vs, or a meane tenure of Vs, ( *not beeing  
Knights service* ) for any Ward within age,  
vntill the Feodary or Escheator doe first ac-  
quaint the Court for further directions  
therein ( *which the Feodary is enioyned to doe,  
with all conuenient expedition.* )

**T**HAT not onely euery Committee (*and  
Leffee*) but euery Assigne of euery  
Committee (*or Leffee*) shall take the Oath,  
viz. &c. and for that purpose euery Com-  
mittee (*and Leffee*) and Assigne shall bee  
sworne, whether hee taketh it to his owne  
use, or to the use of any other, to the ende  
they may both take the Oath.

**T**HAT especiall choise bee taken of the  
Commissioners, that take the Oath in  
the Countrey, so that the Oath may be true-  
ly & fully taken by the Committees (*Leffees*)  
and Assigees and the parties, committing  
trust to any other.

**T**HAT euery Feodary and Escheator before the third returne of euery Tearme, shall certifie into the Court a note of all Offices found in the Vacation next before, and whether a Tenure bee found for Vs in *Capite*, or by Knights seruice, and the names of the Ancestor, & Heire, & his age.

**T**HAT the Oath bee taken by those that are Committees or Lessees vpon neglect in *hac Verba*.

**I**A. P. Doe swaere, that neither I, nor any other to my knowledge, or as I beleue or haue heard, haue or hath taken any Course, or vsed any Practize, or Combination directly or indirectly, by my selfe or by any other, with any person or persons whatsoeuer, to stay or hinder the prosecution, of or for the Composition for the Wardship of the Body of D. C. or the Lease of any the said Wards Linds, with any purpose or intent whatsoeuer, that the said Wardship and Lease, or either of them by such neglect & default of prosecution, might come to me, or to any other to my use, or by my meanes or procuremet, or to my knowledge: So helpe me God.

That

**T**HAT you obserue the like rules, orders, cautions, and considerations, as well for Our profit, as otherwise, in committing and disposing of the Lands, fellable woods, Fines of Copyholds of inheritance, or for liues of Ideots, as by these Presents are prescribed for Wards respectiuely, according to the nature of the case: Giuing to their friends that will take charge of them, such competent allowance for their maintenance out of the estate of such Ideots, as the same will beare.

**B** Vt touching Lunatickes, Let no composition bee taken for the committing of them or their estates : but let such care bee had therein, as they may bee freely committed to their best and neerest friends, that can receiue no benefit by their death, and the Committees bound to answere, not on-ly the values found by office, but the very iust value of their Estates vpon Account, for the benefit of such Lunatick (if hee recouer) or of the next heire; due regard beeing had to the paines and charges of such Com-

mittees, in keeping, maintaining, governing, and curing of the said distracted Persons.

And because Our purpose in this course which now is taken, is to raise with as little grieuance as may bee to Our louing Subiects, that reasonable benefite which ought to come vnto Vs by the mariages of Our Wards, & by the Leales of their Lands, (whereof a great part hath beene diuerted by Graunts to Committees, and otherwise) Wee doe hereby declare, That it is not Our meaning to change the course that hath bene formerly held and vsed in finding Offices, nor to presse the raising or improuing of any Values or Rates in any Inquisitions; neither will We haue the Rents which shall be reserued vpon such Leases, or any such Certificates, Informations, or Instructions, as shall by any meanes be giuen or appeare, of the values of such Wards Lands or Estates, to be transcribed or transmitted to any other Court, Office, place or person, or admitted or vsed as President, Euidence, or Induce-

Inducement, to charge Our Subiects in any other payments, now or hereafter answerable vnto Vs, Our Heires or Successours, or for any other cause.

**A**nd furthermore Wee doe hereby require and authorize you, that you giue order, that euery person that shall prosecute such Composition, for the custody of a Ward, Ideot, or Lunatike, or Lease of their Land, or other Estate, shall before any Grant of the Body, or Lease of the Lands bee deliuered vnto him vnder the Seale of our said Court, take his corporall Oath in open Court, or by Commission (if the cause shall so require) before three Commissioners at the least, whereof one to be a Iustice of the Peace, to be certified and returned into the Court, before the delivery of such Grant or Lease in maner and forme following. Viz.

**I** A. B. doe swaere, that neither I f, nor any other to my knowledge, haue or bath giuen, or promised, procured,

cured, or consented to giue, or to bee  
giuen, any gift or reward, directly or  
indirectly, vnto any Officer or Offi-  
cers of the Court of Wardes and Li-  
ueries, or to any other person or per-  
sons whatsoeuer, for procuring any  
preferment to Compound before  
another, or for mitigation in the price  
or payment, in any Composition or  
Contract made or to bee made, for the  
Wardshippe of the Body of F. S. his  
Maiesties Warde, and the Lease  
of any the sayd Wardes Lands, or for  
any of them: or for the mitigation  
of the yeerely value of the lands of any  
such Ward. And that F wil not giue,  
nor any with my consent shall giue, or  
consent to be giuen, any gift or reward,  
directly or indirectly, for the causes a-  
foresaid, or any of them: So helpe me God.

Neuer-

**N**uerthelesse, Wee are well pleased and contented, that if any Wardship, Lease of land, meane rates, before or after fullage, now bee, or hereafter shalbe concealed from vs, or if no suit shalbe made within one yere next after our Tenants death, for such Wardship or Lease, or if vpon suit made wthin the yeere, an office be found against Vs, or the finding of the office vnnecessarily protracted after the yeere expired, without iust cause allowed by the Court, that in such cases the Master may admit any fit person whatsoeuer, that shall make offer to discouer our right so concealed, or sought to be concealed, or suppressed (vpon good matter of proofe shewed for vs & approued by the Court) to prosecute the finding of an office, & to passe the said Wardship, Lease or meane rates, without restraining or binding the said Court, or the partie prosecuting, according to the directions aboue mentioned: but that the Master of the said Court may according to the parties traualle, expences, aduenture and seruice donevnto Vs, reward him by graunt of such Wardship, Lease or

meane rates, in such sort as others may bee encouraged to employ themselues in the like seruice, and all deuices and practises to deceiue and defraud Vs of Our due and iust right, be better preueted: Any thing in these Our Instructions or Directions to the contrary notwithstanding.

Prouided alwayes, and Wee doe hereby declare it to be Our Will and Pleasure, that where it shall appeare to you, that neither Wee nor Our Progenitours haue enioyed any benefit, by Wardship, Liuerie, Primer seisin, relief, respite of homage, Fines, or meane rates of any lands, within the space of threescore yeeres last past, where such benefit ought to haue come to the crowne if such Tenure had beeene acknowledged, In such cases We are pleased to giue you power and authority, to remit and release all such benefit, and profit, as haue or ought to haue accrued vnto Vs, or to Our Progenitours, by reason of any such Tenure; allowing to such persons as haue prosecuted in Our behalfe, such part thereof, as shall seeme good in your discretion, not exceeding a third

third part of the whole, as the same shall be found by Inquisition, sauing to Vs, Our Heires and Successors, the right and inheritance of Our Tenure, and sauing Our Pre-rogatiue, and the benefit and profit of such Tenures of Vs, or Our Progenitors, as doe expressly appeare by matter of Record, and also such as haue bene created, or otherwise come vnto Vs, within the same time of threescore yeeres.

**A**nd now, as Wee haue so sufficiently directed you, as We make little doubt but you will be carefull of Our profit, in the execution of your place; so neuerthelesse, Wee let you likewise know hereby, That seeing Our owne iudgement tells Vs, that there may fal into your considerations, many circumstances which must guide you, in assesing the Fines for the marriages of Our Wards, and renting of their Lands, some arising either out of the broken estate of the deceased, want of prouision for his wife, his great charge of children vnprouided for, infirmity or tendernesse of the Heire, vncertainty

tainty of the Title, or greatnessse of incumbrance vpon the Land ; so as some Heire, that may in respect of his degree, or blood, or liuing, in opinion of the world, bee iudged to deserue a greater Rent or Fine, then some other persons more obscure, may yet in regard of the causes aboue mentioned, or some other of like sort, be lesse fit to haue any great charge laid vpon him: We do therefore, notwithstanding any thing conteined in these Our Instructions, giue you full liberty, that as these, or any other thelike considerations shall offer themselues vnto you, you may vse that good discretion and conscience which is fit, in mittigating or abating the Fines or Rents, vpon the saide Graunts or Leafes, to the relieve of such necessities : So, alwaies as care bee taken, that by any such pretences, that profite which should accrue vnto Vs, bee not diuerted to any others, that shall seeke to draw to themselues a priuate benefit out of this Our graciou s care and consideration.

Lastly

**L**astly Our Will and Pleasure is, and We  
doe hereby direct and authorize you the  
Master and Councell of the said Court, and  
the Master and Council of the same for the  
time beeing, that with the aduice of Our  
Judges, Assistants of Our said Court, you  
diligently examine, search out and reforme  
all fraudulent deuices and practises, deuised,  
or to be deuised and put in vre, to deceiue or  
defeat Vs of Our Wardships, or Leases of  
Our Wards Lands, or of any due or iust  
benefite belonging vnto Vs, by reason of  
Our Tenures. In Witnesse wherof, We haue  
caused these Our Letters to bee made Pa-  
tents.

*Witnesse Our selfe at Westminster, the three  
and twentieth day of February, in the fifteenth  
yeere of Our Reigne of England, France, and  
Ireland, and of Scotland the one and fiftie.*

